

# Sills Cummis & Gross

A Professional Corporation  
The Legal Center  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: (973) 643-7000  
Fax (973) 643-6500

Jeffrey J. Greenbaum  
Member  
Admitted In NJ, NY  
Direct Dial: 973-643-5430  
Email:  
jgreenbaum@sillscummis.com

101 Park Avenue  
28<sup>th</sup> Floor  
New York, NY 10178  
Tel: (212) 643-7000  
Fax: (212) 643-6500

March 21, 2024

**Via ECF and Email**

Honorable Edward S. Kiel, U.S.M.J.  
United States District Court, District of New Jersey  
United States Post Office & Courthouse  
Federal Square, Courtroom 8  
Newark, New Jersey 07101

Re: **United States ex rel. Silbersher v. Janssen Biotech Inc., et al.**  
**Civil Action No. 19-12107 (MEF-ESK)**

Dear Judge Kiel:

I write to address Relator's letter of today (ECF 333), seeking to relitigate the issue that he lost and the Court resolved at our last status conference: maintaining the negotiated schedule for the service of expert reports. Despite the efforts of Relator to punish Defendants and go back on the negotiated agreement reflected in the prior scheduling order, in connection with granting Plaintiff's application for an extension, the Court determined to keep the negotiated deadlines on timing as the parties agreed, simply moving the dates back to reflect the extension. However, in the last status letter filed with the Court on March 7, 2024 (ECF 329), we noted a scrivener's error in the amended order actually entered by the Court on page 8 of that report, and Relator did not dispute our characterization. The letter and proposed order submitted yesterday simply corrects that error.

This last minute effort by Relator to change that ruling or open it up for reconsideration again should be soundly rejected.

Respectfully,

/s/ Jeffrey J. Greenbaum

JEFFREY J. GREENBAUM

cc: All Counsel (by ECF)